



5-19-03

\$30.42  
#7

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR  
INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number (Optional)

3399P060

First Named Inventor: Sunit Lohtia

Application No.: 09/916,608

Art Unit: 2143

Filed: July 26, 2001

Examiner: Wiley, David Armand

Title: Method and Apparatus for Providing Selective Delivery of Notifications to Users of Multiple  
Devices Over a Network

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at  
(703) 305-9283

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION  
UNDER 37 CFR 1.137(b)

## 1. Petition fee

☐ Small entity-fee \$\_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1300.00 (37 CFR 1.17(m)).

## 2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently filed foreign or international application is July 17, 2002.

SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 5/13/03.

[Page 1 of 2]

05/21/2003 AWONDAF1 00000178 09916608

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OFFICE OF PETITIONS

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

[NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.**

May 15, 2003

Date

Telephone

Number:

(408) 720-8300

  
Signature

Jordan M. Becker, Reg. No. 39,602

Typed or printed name & Registration No.

Blakely, Sokoloff, Taylor & Zafman LLP  
12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025

Enclosures: ☒ Fee Payment  
☐ Additional sheets containing statements establishing unintentional delay  
☒ Other: Submission of Petition for Revival and Notice of Foreign Filing

This correspondence is being sent via express mail (Express Mail No. EV336585355US).

**SUBMISSION OF PETITION FOR REVIVAL**

Docket Number:

3399P060

First named inventor: Sunit Lohtia

Application No.: 09/916,608

Art Unit: 2143

Filed: July 26, 2001

Examiner: Wiley, David Armand

Title: Method and Apparatus for Providing Selective Delivery of Notifications to Users of Multiple Devices Over a Network

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

May 15, 2003

Date

  
Signature

Telephone

Number: (408) 720-8300Jordan M. Becker

Typed or Printed Name

BLAKELY SOKOLOFF TAYLOR &amp; ZAFMAN LLP

12400 Wilshire Blvd.

Seventh Floor

Los Angeles, CA 90025

Telephone Number: (408) 720-8300

39,602

Registration No.

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OFFICE OF PETITIONS



#8

Attorney Docket No.: 03399P060

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Sunit Lohtia

Serial No.: 09/916,608

Filing Date: July 26, 2001

For: METHOD AND APPARATUS FOR  
PROVIDING SELECTIVE DELIVERY  
OF NOTIFICATIONS TO USERS OF  
MULTIPLE DEVICES OVER A  
NETWORK

Mail Stop PGPUB  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Examiner: Wiley, David Armand

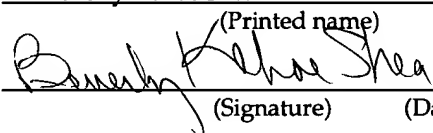
Art Unit: 2143

"Express Mail" mailing label number EV336585355US  
I hereby state that I am causing this paper or fee to be  
deposited with the United States Postal Service "Express  
Mail Post Office to Addressee" service on the date  
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addressed to the Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450 on  
May 15, 2003

(Date of Deposit)

Beverly Kehoe Shea

(Printed name)

 5/15/03

(Signature)

(Date)

NOTICE OF FOREIGN FILING

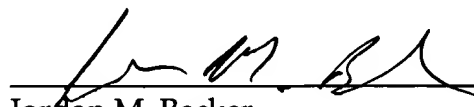
Dear Sirs:

This letter is to notify the U.S.P.T.O. that on July 17, 2002, Applicant filed the above-identified application in another country or under a multilateral agreement that requires publication of applications eighteen months after filing. A Request to Rescind Previous Nonpublication Request under 35 USC 122(b)(2)(B)(ii) was previously filed by Applicant.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date:

5/15/03

  
Jordan M. Becker  
Reg. No. 39,602

Customer No. 26529  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1030  
(408) 720-8300

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

## Complete if Known

|                      |                     |
|----------------------|---------------------|
| Application Number   | 09/916,608          |
| Filing Date          | July 26, 2001       |
| First Named Inventor | Sunit Lohitia       |
| Examiner Name        | Wiley, David Armand |
| Group/Art Unit       | 2143                |
| Attorney Docket No.  | 3399P060            |

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 1,300.00

## METHOD OF PAYMENT (check one)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 750      | 2001         | 375      | Utility filing fee     |          |
| 1002         | 330      | 2002         | 165      | Design filing fee      |          |
| 1003         | 520      | 2003         | 260      | Plant filing fee       |          |
| 1004         | 750      | 2004         | 375      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES

Total Claims  - 20\*\* =  X  =   
Independent Claims  - 3 =  X  =   
Multiple Dependent  =

| Large Entity |          | Small Entity |          | Fee Description                                           | Fee Paid |
|--------------|----------|--------------|----------|-----------------------------------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                           |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                    |          |
| 1201         | 84       | 2201         | 42       | Independent claims in excess of 3                         |          |
| 1203         | 280      | 2203         | 140      | Multiple Dependent claim, if not paid                     |          |
| 1204         | 84       | 2204         | 42       | **Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | **Reissue claims in excess of 20 and over original patent |          |
| SUBTOTAL (2) |          |              |          |                                                           | (\$)     |

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity                       |          | Small Entity |          | Fee Description                                                            | Fee Paid      |
|------------------------------------|----------|--------------|----------|----------------------------------------------------------------------------|---------------|
| Fee Code                           | Fee (\$) | Fee Code     | Fee (\$) |                                                                            |               |
| 1051                               | 130      | 2051         | 65       | Surcharge - late filing fee or oath                                        |               |
| 1052                               | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |               |
| 2053                               | 130      | 2053         | 130      | Non-English specification                                                  |               |
| 1812                               | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |               |
| 1804                               | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |               |
| 1805                               | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |               |
| 1251                               | 110      | 2251         | 55       | Extension for reply within first month                                     |               |
| 1252                               | 410      | 2252         | 205      | Extension for reply within second month                                    |               |
| 1253                               | 930      | 2253         | 465      | Extension for reply within third month                                     |               |
| 1254                               | 1,450    | 2254         | 725      | Extension for reply within fourth month                                    |               |
| 1255                               | 1,970    | 2255         | 985      | Extension for reply within fifth month                                     |               |
| 1404                               | 320      | 2401         | 160      | Notice of Appeal                                                           |               |
| 1402                               | 320      | 2402         | 160      | Filing a brief in support of an appeal                                     |               |
| 1403                               | 280      | 2403         | 140      | Request for oral hearing                                                   |               |
| 1451                               | 1,510    | 2451         | 1,510    | Petition to institute a public use proceeding                              |               |
| 1452                               | 110      | 2452         | 55       | Petition to revive - unavoidable                                           |               |
| 1453                               | 1,300    | 2453         | 650      | Petition to revive - unintentional                                         | 1,300.00      |
| 1501                               | 1,300    | 2501         | 650      | Utility issue fee (or reissue)                                             |               |
| 1502                               | 470      | 2502         | 235      | Design issue fee                                                           |               |
| 1503                               | 630      | 2503         | 315      | Plant issue fee                                                            |               |
| 1460                               | 130      | 2460         | 130      | Petitions to the Commissioner                                              |               |
| 1807                               | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17(q)                                        |               |
| 1806                               | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |               |
| 8021                               | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |               |
| 1809                               | 750      | 1809         | 375      | Filing a submission after final rejection (37 CFR § 1.129(a))              |               |
| 1810                               | 750      | 2810         | 375      | For each additional invention to be examined (37 CFR § 1.129(b))           |               |
| 1801                               | 750      | 2801         | 375      | Request for Continued Examination (RCE)                                    |               |
| 1802                               | 900      | 1802         | 900      | Request for expedited examination of a design application                  |               |
| Other fee (specify)                |          |              |          |                                                                            |               |
| * Reduced by Basic Filing Fee Paid |          |              |          |                                                                            |               |
| SUBTOTAL (3)                       |          |              |          |                                                                            | (\$) 1,300.00 |

## SUBMITTED BY

Name (Print/Type) Jordan M. Becker

Registration No. (Attorney/Agent)

39,602

Telephone

(408) 720-8300

Signature

Date

05/15/03

Based on PTO/SB/17 (01-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 05/02/2003.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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